

REMARKS

Please reconsider this application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of claims

Claims 1, 3, 4, 7-10, 13, 15, 16, 19, 21, 22, 25, 27, 28, 31, 33, 34, 36, 37 and 39 are pending in the present patent application. Claims 1, 7, 13, 19, 25, 31, 34, and 37 are independent. The remaining claims depend, either directly or indirectly, from claims 1, 7, 13, 19, 25, 31, 34, and 37.

Claim Amendments

Claims 1, 7, 13, 19, 25, 31, 34, and 37 are amended for purposes of clarification. Further, claim 4 is amended to correct a typographical error. No new matter has been introduced by way of these amendments as support can be found, for example, in paragraph [0041] and Figure 2 of the specification as filed.

Rejections under 35 U.S.C. § 103

Claims 1, 7, 13, 19, 25, 31, 34 and 37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over J. Allison, Windows NT password hash retrieval (Mar. 22, 1997) (hereinafter "Allison"), in view of U.S. Patent No. 5,592,553 A (hereinafter "Guski"). Applicants respectfully traverse the rejection, to the extent that it applies to the amended claims.

Applicants respectfully assert that the Examiner fails to articulate a rational reasoning to support the legal conclusion of obviousness, which is improper. *See*, MPEP § 2141(III) (The key to supporting any rejection under 35 U.S.C. § 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious, thus the analysis supporting a

rejection under 35 U.S.C. § 103 should be made explicit. “[R]ejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.” In fact, the Examiner improperly relies on a single citation in Allison to teach several distinct limitations of the independent claims in the present application. *See*, MPEP § 2143.03 (“All words in a claim must be considered in judging the patentability of that claim against the prior art”). In doing so, the Examiner is mischaracterizing Allison in an attempt to render the claims either anticipated or obvious, which is improper.

Specifically, the Examiner contends that “NTCrack” and “10phtrack,” as referenced in Allison (*see, e.g.*, FOA at pages 5, 7, and 10, *citing* Allison at page 1), teaches *all* of the following limitations of the present application:

1. “reading the file to obtain the encrypted database password,”
2. “decrypting the encrypted database password to obtain a database password,”
3. “a read module stored on the computer readable medium configured to read a file dumped by the database,”
4. “a decryption module stored on the computer readable medium configured to decrypt the encrypted database password to obtain a database password,”
5. “executing a launcher program,” “reading, using the launcher program, a file dumped from the database,” and
6. “decrypting the encrypted database password to obtain a database password.”

However, in fact, Allison merely includes a preliminary “note” that certain applications for testing the strength of passwords (*e.g.*, NTCrack and 10phtrack) could alternatively be used in place of the invention described therein (*see* Allison at page 1). No further information about these tools is disclosed in the reference, nor does the Examiner provide any rationale to properly underpin the rejection. Such a cursory rejection of multiple claim limitations in this fashion is improper and the cited portion of Allison does not support the rejection of the Examiner.

The Examiner asserts that Allison teaches a “user name” associated with a “user” requesting a file from a database,¹ and that Guski teaches “obtaining a temporary user name based on the user name,” and “accessing the database using the temporary user name and the database password to obtain the file.” *See, e.g.*, FOA at pages 3-4 and 5-6 in reference to claims 1, 7, 19, 25, 31, and 37. However, Guski does not teach “obtaining a temporary user name based on the user name” because the one-time password taught by Guski is neither based on the user name nor associated with the user. *See* FOA at page 4, *citing* Guski at Col. 1, ll. 41-45, and Col. 1, ll. 64-67 - Col. 2 ll. 1-2. The one-time password in Guski is generated using a secret encryption key and a time-dependent value, and may also involve randomized non-time-dependent information, such as a user ID. *See* Guski at Col. 2, ll. 63 – Col. 3, l. 4 and Col. 3, ll. 53-67. However, the time-dependent information is the only portion of the password that it re-generated by the authenticating node. *See* Guski at Col. 3, ll. 18-27. Thus, the one-time password does not teach a “temporary user name based on the user name” and database password used to access the database. Therefore, the rejection is unsupported by the art and should be withdrawn.

Further, the Examiner asserts that Guski teaches “wherein access rights associated with the user name are greater than access rights associated with the temporary user name.” *See, e.g.*, FOA at pages 3 and 6 in reference to claims 1, 7, 13, 19, 25, 31, 34, and 37. However, Guski does not teach “wherein access rights associated with the user name are greater than access rights associated with the temporary user name” because the Examiner’s citation, “IBM Resource Access Control Facility (RACF),” is insufficient to make a *prima facie* showing

¹ The Examiner contends that the “user” and “user name” in Allison is associated with the IT Administrator. *See, e.g.*, FOA at pages 3 and 5. However, the IT Administrator’s user name would in most cases not be associated with the requested database file.

of obviousness. *See, e.g.*, FOA at page 4. The Examiner does not clearly articulate a reason supporting such a conclusion, nor is it apparent from the reference. *See*, MPEP § 2141(III). Therefore the rejection is unsupported by the art and should be withdrawn.

The Examiner asserts that Guski teaches “a temporary signon module ... configured to communicate with the database to initiate a user session with the database to obtain a temporary user name based on the user name.” *See, e.g.*, FOA at p. 8 in reference to claims 13 and 34. As discussed above, Guski does not teach “a temporary user name based on the user name,” so consequently that reference also cannot teach a “temporary signon module ... configured to ... initiate a user session with the database to obtain a temporary user name based on the user name.” Thus, the rejection is unsupported by the art and should be withdrawn.

The Examiner asserts that Guski teaches “a pass connect string ... configured to communicate with the database to pass a connect string to a database tool,” “the connect string comprising the database password,” and “wherein the database, upon receipt of the connect string, allows the database tool to query the database.” *See, e.g.*, FOA at page 8 in reference to claim 13. Guski does not, in fact, teach “a pass connect string,” as disclosed in the present application, and the Examiner has improperly equated this function-detailed module with the general principle of authentication (*i.e.*, “[i]f the transmitted password agrees with the comparison password, the user is authenticated and granted access to the system resource”), as taught by Guski. *See, e.g.*, FOA at page 9, *citing* Guski at Col. 2, ll. 7-9. Here again, the Examiner does not clearly articulate a reason supporting such a conclusion, nor is it apparent from the reference. *See*, MPEP § 2141(III). Therefore the rejection is unsupported by the art and should be withdrawn.

As discussed in detail above, the Examiner's assertions regarding Allison and Guski, whether viewed separately or in combination, do not support a rejection of amended independent claims 1, 7, 13, 19, 25, 31, 34, and 37 under 35 U.S.C. § 103(a). Claims 3, 4, 9, 10, 15, 16, 21, 22, 27, 28, 33, 36, 39 depend, directly or indirectly, from the amended independent claims. Therefore, the Examiner's assertions also do not support a rejection of those dependent claims for at least the same reasons. Withdrawal of this rejection is respectfully requested.

Request for Examiner Interview

By way of this submission, Applicants have responded to the Final Office Action by filing a Request for Continued Examination. Unless the Examiner considers the application as submitted in allowable form, Applicants believe that an Examiner Interview at this juncture would significantly advance the prosecution of this application. *See, e.g.*, MPEP §§ 713.01, 713.02. Accordingly Applicants submit the attached Applicant Initiated Examiner Interview Request Form requesting an Examiner Interview at a time and date determined to be mutually convenient.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associate at the telephone number listed below. Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0591, under Order No. 37202/136001; 040098.

Dated: February 22, 2008

Respectfully submitted,

By /Robert P. Lord/

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Attachment (Applicant Initiated Interview Request Form)

312402_2

Applicant Initiated Interview Request Form

Application No.: 10/821,774 First Named Applicant: Calum Murray
 Examiner: Louie, Oscar A. Art Unit: 2136 Status of Application: PENDING

Tentative Participants:

(1) Robert P. Lord (46,479) (2) Kathleen Determann (60,756)
 (3) Examiner Oscar A. Louie (4) SPE Nasser Moazzami

Proposed Date of Interview: TBD Proposed Time: TBD (AM/PM)

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>§ 103 Rejection</u>	<u>All Rejected</u>	<u>Allison & Guski</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

We would like to discuss the use of the cited portions of the referenced art (hereinafter "Allison" and "Guski") in the rejection of the claims.

An interview was conducted on the above-identified application on _____.

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP §713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/Robert P. Lord/

 Applicant/Applicant's Representative Signature

 Examiner/SPE Signature

Robert P. Lord
 Typed/Printed Name of Applicant or Representative

46,479
 Registration Number, if applicable